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10 Attorneys for Defendants-Respondents
11 NVIDIA CORPORATION and
12 NVIDIA US INVESTMENT COMPANY

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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

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20 In re
21 3DFX INTERACTIVE, INC., a California
22 corporation,
23 Debtor.

24 WILLIAM A. BRANDT, JR., TRUSTEE,
25 Plaintiff and Appellant,
26 v.
27 NVIDIA CORPORATION, a Delaware
28 corporation, and NVIDIA US INVESTMENT
COMPANY, f/k/a TITAN ACQUISITION
CORP. NO. 2, a Delaware corporation,
Defendants and
Respondents.

Case No. CV 08-04634 RMW

**STIPULATION AND []
ORDER THAT HEARING DATE
FOR NVIDIA'S MOTION TO
STRIKE IMPROPER MATERIAL IN
TRUSTEE'S OPENING BRIEF BE
TAKEN OFF CALENDAR**

Bankruptcy Case No.: 02-55795
Adversary Proceeding No.: 03-05079

Date: April 10, 2009
Time: 9:00 a.m.
Dept.: Courtroom 6, 4th Floor
Judge: Hon. Ronald Whyte

WHEREAS on January 9, 2009, Plaintiff and Appellant William A. Brandt, Jr. filed the Trustee's Opening Brief on appeal from a judgment entered after trial by the United States Bankruptcy Court on September 11, 2008;

WHEREAS on February 27, 2009, Defendants and Respondents NVIDIA Corporation and NVIDIA US Investment Company filed a Motion to Strike Improper Material in Trustee's Opening Brief , and set the motion for hearing on April 10, 2009, at 9:00 a.m.

WHEREAS the parties agree that the motion is appropriate for decision on the papers, and no hearing is necessary.

NOW THEREFORE the parties hereby stipulate and agree that the hearing date shall be taken off calendar and that the Court may decide the motion on the submissions of the parties.

SO STIPULATED.

Dated: April 2, 2009

By: /s/ Justin M. Licherman
Justin M. Licherman
ORRICK HERRINGTON & SUTCLIFFE LLP
Counsel for the NVIDIA Respondents

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document

Dated: April 2, 2009

By: /s/ Kim Y. Arnone
Kim Y. Arnone
BUCHALTER NEMER
Counsel for Chapter 11 Trustee William A. Brandt, Jr.

ORDER

Pursuant to the stipulation, and GOOD CAUSE appearing therefore, the Court hereby orders that the hearing on NVIDIA’s Motion to Strike Improper Material in Trustee’s Opening Brief shall be taken off calendar, and the motion shall be decided on the papers.

IT IS SO ORDERED.

Dated: 4/9 , 2009

Ronald M. Whyte
United States District Court Judge